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5 *Attorney for Defendant*

6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 vs.

11 MARC BRATTIN,

12 Defendant.

CASE NO.: 2:15-cr-00037-KJD-GWF

**STIPULATION AND [PROPOSED]
ORDER TO CONTINUE HEARING ON
MOTION TO DISMISS [27] AND MOTION
FOR PROTECTIVE ORDER [34]**

(First Request)

13
14 IT IS HEREBY STIPULATED by and between the UNITED STATES OF AMERICA,
15 by and through SARAH E. GRISWOLD, ASSISTANT UNITED STATES ATTORNEY, and
16 Defendant, MARC BRATTIN, by and through his counsel, T. LOUIS PALAZZO, ESQ., of
17 PALAZZO LAW FIRM, A PROFESSIONAL LAW CORPORATION, that the hearing for
18 Defendant's Motion to Dismiss for Vindictive Prosecution, Prosecutorial Misconduct, and
19 Double Jeopardy Violation [27] and Plaintiff's Motion for Protective Order [34] currently
20 scheduled on November 17, 2015, be vacated and continued to December 10, 2015. This
21 Stipulation is entered into based upon the following:

22 1. Defendant Brattin's Motion to Dismiss was originally scheduled to be heard on
23 October 27, 2015.

24 2. The additional time requested herein is not sought for purposes of delay, but, in
25 part, resulted from a request on October 21, 2015, by Magistrate Judge Foley requiring additional
26 time to prepare for said hearing.

27 3. Counsel for Defendant Brattin has a scheduling conflict on the newly scheduled
28 hearing date of November 17, 2015, and was directed to file a stipulation with Plaintiff to
continue the hearing to a date mutually convenient to the parties, to wit: December 10, 2015.

- 1 4. Additionally, denial of this request could result in a miscarriage of justice.
- 2 5. This is the first request for continuance of the subject hearing date.
- 3 6. For all of the above-stated reasons, the ends of justice would best be served by a
- 4 continuance of the hearing date.

5

6 DATED this the 28th day of October, 2015.

7 /s/ T. Louis Palazzo
8 T. LOUIS PALAZZO, ESQ.
9 Nevada Bar No. 4128
520 South Fourth Street, Second Floor
Las Vegas, Nevada 89101
10 *Attorney for Defendant*

/s/ Sarah E. Griswold
SARAH E. GRISWOLD, AUSA
333 Las Vegas Boulevard, Suite 5000
Las Vegas, Nevada 89101
Attorney for Plaintiff

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARC BRATTIN,

Defendant.

CASE NO.: 2:15-cr-00037-KJD-GWF

~~PROPOSED~~ ORDER TO CONTINUE
HEARING ON MOTION TO DISMISS [27]
AND MOTION FOR PROTECTIVE
ORDER [34]

TO ALL PARTIES AND THEIR COUNSEL:

This matter having come before the Court and good cause having been shown:

IT IS HEREBY ORDERED that the hearing on Motion to Dismiss [27] and Motion for Protective Order [34] in this matter is continued to the 10th day of December, 2015, at the hour of 9:30 a.m., in **Courtroom 3D**.

DATED this 3rd day of November, 2015.


UNITED STATES MAGISTRATE JUDGE

Submitted by:

PALAZZO LAW FIRM
A PROFESSIONAL LAW CORPORATION

/s/ T. Louis Palazzo
T. LOUIS PALAZZO, ESQ.
Nevada Bar No. 4128
520 South Fourth Street
Las Vegas, Nevada 89101
Attorney for Defendant

CERTIFICATE OF ELECTRONIC SERVICE

The undersigned hereby certifies that on the 28th day of October, 2015, I served an electronic copy of the above STIPULATION AND [PROPOSED] ORDER TO CONTINUE HEARING ON MOTION TO DISMISS [27] AND MOTION FOR PROTECTIVE ORDER [34] (First Request) to all parties of record, *via* CM/ECF.

/s/ Celina Hardy
An Employee of Palazzo Law Firm, PC